

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO

STATE OF OHIO, ex rel. : CASE NO. 1:24-cv-00211
COURTNEY SEMAN, et al. :
Plaintiffs, : ORDER
v. :
BOARD OF EDUCATION OF :
THE EUCLID CITY SCHOOL :
DISTRICT, :
Defendant. :
:

JAMES S. GWIN, UNITED STATES DISTRICT COURT JUDGE:

On February 5, 2024, Defendant removed this case from state to federal court under 28 U.S.C. § 1446.¹ Section 1446 requires a defendant to file its removal notice within 30 days of service. Plaintiff served the summons and complaint via mail on January 2, 2024.² So, taking January 2 as the service date, Defendant's removal notice was due on February 1, 2024.

Therefore, Defendant is **ORDERED TO SHOW CAUSE** why this case should not be remanded to state court as untimely removed. In its response, Defendant should address (1) whether the service date falls on the mailing date or the receipt date, and (2) whether Federal Rule of Civil Procedure 6(d) extends the period for removal. Defendant's response is due within **14 days** of this Order and may not exceed **10 pages**. If Plaintiff wishes to file a response, she must also do so within **14 days** of this Order, and her response may not exceed **10 pages**.

¹ Doc. 1.

² Doc. 1-1 at PageID #: 5.

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IT IS SO ORDERED.

Dated: February 26, 2024

s/ James S. Gwin
JAMES S. GWIN
UNITED STATES DISTRICT JUDGE